

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF TEXAS

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name BLUE DUCK ENERGY, LTD.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 87-1142421

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

6116 N. Central Expressway
Suite 1450
Dallas, TX 75206

Number, Street, City, State & ZIP Code

Dallas

County

6116 N. Central Expressway
Suite 1450
Dallas, TX 75206

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Roberts County

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☒ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **BLUE DUCK ENERGY, LTD.**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

If more than 2 cases, attach a separate list.

- ☒ No.
- ☐ Yes.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

Debtor **BLUE DUCK ENERGY, LTD.**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor

Relationship

District

When

Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes.

Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$1,000,001 - \$10 million

☐ \$500,000,001 - \$1 billion

Debtor **BLUE DUCK ENERGY, LTD.** Case number (if known) _____
Name

- | | | |
|--|---|--|
| <input type="checkbox"/> \$50,001 - \$100,000 | <input checked="" type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor **BLUE DUCK ENERGY, LTD.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

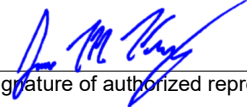
I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/14/2024
MM / DD / YYYY

X


Signature of authorized representative of debtor

James Kondziela

Printed name

Title **Manager of the Debtor's General Partner**

18. Signature of attorney

X

/s/ Joshua N. Eppich

Date 8/14/2024

Signature of attorney for debtor

MM / DD / YYYY

Joshua N. Eppich 24050567

Printed name

Bonds Ellis Eppich Schafer Jones LLP

Firm name

**420 Throckmorton Street, Suite 1000
Fort Worth, TX 76102**

Number, Street, City, State & ZIP Code

Contact phone **817-405-6900**

Email address **Joshua@bondsellis.com**

24050567 TX

Bar number and State

**WRITTEN CONSENT OF THE GENERAL PARTNER
OF BLUE DUCK ENERGY, LTD.**

August 14, 2024

Pursuant to the Texas Business Organizations Code and that certain Agreement of Limited Partnership of Blue Duck Energy, Ltd. dated as of May 25, 2021 and all amendments adopted by Blue Duck Energy, Ltd., a Texas limited partnership ("Company"), the undersigned, being the manager of Blue Duck GP LLC, a Texas limited liability company (the "GP"), the general partner of the Company, does hereby take the following actions and adopt the following resolutions by written consent (this "Consent"):

(A) Voluntary Petition for Chapter 11 Bankruptcy

WHEREAS, the GP has evaluated a possible restructuring of the Company and the alternatives thereto, and have reviewed and considered the recommendations of the Company's professionals and advisors with respect to potential avenues for relief that are available to the Company, including the possibility of pursuing a restructuring of the Company's business and assets under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code"), and have determined that the filing of a voluntary petition (the "Petition") seeking relief pursuant to a case (the "Chapter 11 Case") under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Texas (the "Bankruptcy Court") is in the best interests of the Company;

NOW, THEREFORE, IT IS RESOLVED that the Company shall be, and hereby is, authorized, empowered, and directed to commence a Chapter 11 Case under the Bankruptcy Code, including by: (a) filing a Petition for relief under Chapter 11 of the Bankruptcy Code in the Bankruptcy Court and any other forms and documents that may be necessary or appropriate to commence and maintain the Chapter 11 Case; and (b) performing any and all acts as are reasonable, advisable, expedient, convenient, proper, or necessary to effect any of the foregoing;

IT IS FURTHER RESOLVED that James Kondziela and Stewart Hoge (each an "Authorized Person") as appointed herein pursuant to the terms of this Consent, is authorized, empowered, and directed to: (a) execute, acknowledge, deliver, and verify the Petition and all other ancillary documents, and cause the Petition to be filed with the Bankruptcy Court and make or cause to be made prior to execution therefore any modifications to the Petition or ancillary documents as such Authorized Person, in his or her discretion deems necessary, desirable, or appropriate to carry out the intent and accomplish the purposes of these resolutions; (b) execute, acknowledge, deliver, and verify and file or cause to be filed all other petitions, schedules, statements, lists, motions, applications, including any plan of reorganization or motion to sell assets, and other papers and documents necessary or desirable in connection with the foregoing and the Chapter 11 Case; (c) execute, acknowledge, deliver and verify any and all other documents necessary, desirable or appropriate in connection with the Chapter 11 Case and to administer the Company's Chapter 11 Case in such form or forms as such Authorized Person may deem necessary or advisable in order to effectuate the purpose and intent of the foregoing resolutions; and (d) all actions heretofore taken by each Authorized Person in connection

with the subject of the foregoing resolutions be, and hereby are, approved, ratified and confirmed in all respects as the acts and deeds of the Company;

IT IS FURTHER RESOLVED that the law firm of Bonds Ellis Eppich Schafer Jones LLP shall be, and hereby is, authorized, empowered, and directed to represent the Company as a debtor and/or debtor-in-possession in connection with the Chapter 11 Case, and each Authorized Person is authorized and directed to retain on behalf of the Company, upon such terms and conditions as such Authorized Person shall approve, such law firm to represent the Company in connection with the Chapter 11 Case;

IT IS FURTHER RESOLVED that each Authorized Person is authorized, directed, and empowered to retain such other attorneys, financial advisors, accountants, and other professionals as such Authorized Person shall deem appropriate in his judgment to assist the Company in its restructuring efforts in the Chapter 11 Case or prior to filing; and

IT IS FURTHER RESOLVED that each Authorized Person, on behalf of the Company, is hereby authorized, empowered, and directed to take or cause to be taken any and all such further action as such Authorized Person shall deem necessary or appropriate to effectuate the purpose of the resolutions contained herein, including, without limitation, to execute and deliver any and all such further instruments and documents, and to pay all fees and expenses as may be necessary or appropriate in connection with the Chapter 11 Case.

(B) Further Action

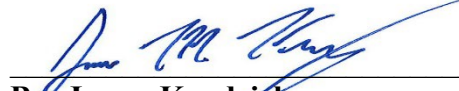
IT IS RESOLVED that in addition to and without limiting the foregoing, each Authorized Person is hereby authorized, empowered, and directed to take, or cause to be taken, such further action, and to execute and deliver, or cause to be executed and delivered, for and in the name and on behalf of the Company, all such further instruments and documents as such Authorized Person, with the advice of counsel, may deem to be necessary or advisable in order to effect the purpose and intent of the foregoing resolutions and to be in the best interest of the Company (as conclusively evidenced by the taking of such action or the execution and delivery of such instruments or documents, as the case may be, by or under the direction of such Authorized Person), and all action heretofore taken by each Authorized Person in connection with the subject of the foregoing resolutions be, and it hereby is, approved, ratified and confirmed in all respects as the acts and deeds of the Company.

The undersigned certify that he is the manager of the GP of the Company, that is legally entitled to approve the foregoing resolutions, and that the adoption of such resolutions by the

written consent of the GP is authorized by the organizational documents of the Company and applicable state law.

Dated to be effective this 14 day of August, 2024.

BLUE DUCK GP, LLC



By: James Kondziela

Its: Manager